

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS**

United States of America,

Plaintiff,

v.

Case No. 07-20099-04-JWL

Yehia Hassen,

Defendant.

MEMORANDUM & ORDER

The court recently denied defendant's motion for compassionate release. Defendant now asks the court to appoint counsel for him to assist in appealing the court's order denying the motion for compassionate release. The motion is denied. There is no constitutional right to counsel beyond the direct appeal of a conviction. *Swazo v. Wyo. Dep't of Corrs.*, 23 F.3d 332, 333 (10th Cir. 1994); *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987). Moreover, there are no legal or factual issues contained within defendant's motion for compassionate release that might warrant the assistance of counsel on appeal. Lastly, the motion for compassionate release reflects that defendant is able to articulate his arguments clearly and coherently.

IT IS THEREFORE ORDERED BY THE COURT THAT Mr. Hassen's motion for appointment of counsel for appeal (doc. 1152) is denied.

IT IS SO ORDERED.

Dated this 4th day of December, 2020, at Kansas City, Kansas.

s/ John W. Lungstrum

John W. Lungstrum

United States District Judge